



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: E. Marlowe Goble et al.
Serial No.: 10/090,293
Filing Date: 03/04/2002
Title: METHOD AND APPARATUS FOR SPINE
JOINT REPLACEMENT
Group Art Unit: 3738 "EXPRESS MAIL" MAILING LABEL NUMBER ET916543049US
Attorney's Docket No.: MED-3 DATE OF DEPOSIT September 4, 2002

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST
OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE
DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

James A. Sheridan
(PERSON MAILING)

Sir:

James A. Sheridan 9/4/02
(SIGNATURE)

RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION - FILING DATE GRANTED

In response to the outstanding NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, Applicants
hereby respectfully submit the following:

(1) a DECLARATION AND POWER OF ATTORNEY document listing
the names of each of the inventors, specifically identifying the
application by serial number and filing date, and signed by the
inventors, E. Marlowe Goble, T. Wade Fallin and Robert W. Hoy;

(2) a substitute set of drawings for the application, with
appropriate margins in compliance with 37 CFR 1.84;

MED-3

204060 "E620600"

(3) one (1) check in the amount of \$65.00 to cover the surcharge for the late filing of the Declaration, this charge having been calculated on the basis of Small Entity status; and

(4) a duplicate copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, as requested in the Notice.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

A duplicate copy of this RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED is enclosed for the convenience of the Patent and Trademark Office.

Respectfully submitted,

James A. Sheridan 9/4/02

James A. Sheridan

Registration No. 43,114

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. No. (781) 290-0060

PS/MED3.RES

MED-3

204060 E6205007 10090293 090402



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/090,293	03/04/2002	E. Marlowe Goble	MED-3

CONFIRMATION NO. 6561

FORMALITIES LETTER



OC00000007794956

Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02154

Date Mailed: 04/04/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - the application contains color drawings or color photographs, but not a black and white copy of the drawings/photographs (see 37 CFR 1.84(a)(2)(iii) and 1.165(b));

09/09/2002 WFOHAYNL 00000000 10030291 A copy of this notice **MUST** be returned with the reply.

02 FC:265

65.00 OF

204060 "E6206001"

Z. Kravp

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

204050" E6206007